

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

KITRICH A. POWELL,

Petitioner,

v.

WILLIAM GITTERE, *et al.*,

Respondents.

Case No. 2:06-cv-01264-KJD-DJA

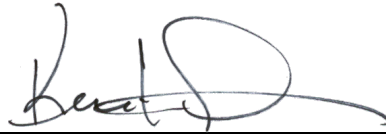
ORDER

In this capital habeas corpus action, the respondents filed a motion to dismiss (ECF No. 235) on September 14, 2022. On June 29, 2023, Petitioner Kitrich A. Powell, who is represented by appointed counsel, filed an opposition to the motion to dismiss (ECF No. 245), along with a motion for leave to conduct discovery (ECF No. 248) and a motion for an evidentiary hearing (ECF No. 247). On February 29, 2024, Respondents filed a reply to the opposition to the motion to dismiss (ECF No. 264), an opposition to the motion for leave to conduct discovery (ECF No. 266), and an opposition to the motion for an evidentiary hearing (ECF No. 265). Powell then had until March 20, 2024, to file a reply to the opposition to the motion for leave to conduct discovery and a reply to the opposition to the motion for an evidentiary hearing. *See* ECF No. 100.

On March 20, 2024, Powell filed a motion for extension of time (ECF No. 267), requesting a 30-day extension, to April 19, 2024, for his replies in support of his two motions. This would be the first extension of this deadline. Powell's counsel states that the extension of time is necessary because of his obligations in other cases and administrative responsibilities at the office of the Federal Public Defender. Powell's counsel represents that Respondents do not oppose the motion for extension of time. The Court finds that Powell's motion for extension of time is made in good faith and not solely for the purpose of delay, and that there is good cause for the extension of time requested.

1 **IT IS THEREFORE ORDERED** that Petitioner's Motion for Extension of Time (ECF
2 No. 267) is **GRANTED**. Petitioner will have until and including **April 19, 2024**, to file replies in
3 support of his motion for leave to conduct discovery and motion for an evidentiary hearing. In all
4 other respects, the schedule for further proceedings set forth in the order entered August 24, 2020
5 (ECF No. 100) will remain in effect.

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7 DATED THIS 21st day of March 2024.

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10 KENT J. DAWSON
11 UNITED STATES DISTRICT JUDGE
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